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Attorneys for Debtors and Debtors in Possession

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----	X	
	:	
In re:	:	Chapter 11
	:	
LEHMAN BROTHERS HOLDINGS INC., <i>et al.</i> ,	:	Case No. 08-13555 (JMP)
	:	
	:	(Jointly Administered)
	:	
Debtors.	:	
	:	
-----	X	

**NOTICE OF SUBPOENA ISSUED PURSUANT TO ORDER GRANTING THE
DEBTORS AUTHORITY TO ISSUE SUBPOENAS FOR THE PRODUCTION
OF DOCUMENTS AND AUTHORIZING THE EXAMINATION OF
PERSONS AND ENTITIES**

Pursuant to the Order Granting the Debtors Authority to Issue Subpoenas for the Production of Documents and Authorizing the Examination of Persons and Entities, entered on November 23, 2009 (the “Order”),¹ the Court granted Lehman Brothers Holdings Inc. and its affiliated debtors in the above-referenced chapter 11 cases (together, the “Debtors”) authority to issue subpoenas requiring persons or entities to produce documents to the Debtors and/or submit to examinations by the Debtors.

¹ All capitalized terms used but not defined herein shall have the meanings ascribed to them in the Order.

As required by the Order, the Debtors hereby file: (i) notice of the subpoena, naming the witness and setting forth the date, time and place of any examination and for the production of any documents (attached hereto as Exhibit A); and (ii) two affidavits of service (attached hereto as Exhibit B).

Dated: June 13, 2011
New York, NY

JONES DAY

s/ Toni-Ann Citera

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*Attorneys for Debtors and Debtors in
Possession*

EXHIBIT A

NOTICE OF SUBPOENA

Name of Witness:	Bank of Montreal
Date of Service of Subpoena:	June 9, 2011
Subject of Subpoena:	Production of Documents pursuant to Fed. R. Bankr. P. 2004
Date, Time and Place of any Examination and for the Production of any Documents	Documents to be produced by July 11, 2011 at 10:00 A.M. (EST) at Jones Day, 222 East 41st Street, New York, New York 10017, Attn: Miriam Reznik; or at 10:00 A.M. (CST) at Jones Day, 77 West Wacker, Chicago, Illinois 60601, Attn: Kelly Marino

EXHIBIT B

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re Lehman Brothers Holdings Inc., et al.
Debtor

SUBPOENA FOR RULE 2004 EXAMINATION

To: Bank of Montreal
3 Times Square
New York, NY 10036

Case No.* 08-13555 (JMP)

PROOF OF SERVICE

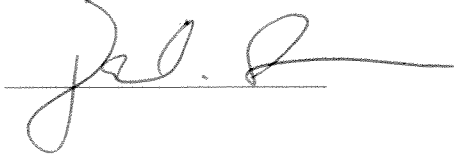
Served: June 9, 2011 at 2:20 p.m.
Place: 3 Times Square, New York, NY 10036
Served on: Bank of Montreal
Served by: Edward M. Juhn

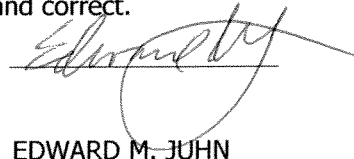
- ☐ #1 INDIVIDUAL By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.
- ☒ #2 CORPORATION By delivering thereat a true copy of each to **Yvonne Pierre** personally, deponent knew the person so served to be an agent of the corporation, and authorized to accept service on behalf of the corporation.
- ☐ #3 SUITABLE AGE PERSON By delivering a true copy of each to a person of suitable age and discretion.
Said premises is recipients:
[] actual place of business [] dwelling house (usual place of abode) within the state.
- ☐ #4 MAIL COPY On, deponent completed service by depositing a true copy of each document to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York.
- ☒ #5 DESCRIPTION A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows: Sex: **Female** Race: **Black** Color of Hair: **Black** Age: **~44** Height: **~5'9"** Weight: **~140**
- ☐ #6 MILITARY SERVICE Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or of the State of New York and was informed that recipient was not. Recipient wore ordinary civilian clothes and no military uniform.

Declaration of Server:

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Sworn to Me on

6/10/11



EDWARD M. JUHN

License # 1318187

DANIEL A. LEVINE
NOTARY PUBLIC-STATE OF NEW YORK
No.01LE6154152
Qualified in Queens County
My Commission Expires:
October 23, 2014

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
CASE NO. 08-13555 (JMP)**

AFFIDAVIT OF SPECIAL PROCESS SERVER

Justin Turner, being first duly sworn on oath deposes and says that he served process in the above mentioned cause.

That he served the within:

- ☐ Summons & Complaint
- ☐ Citation to Discover Assets
- ☐ Rule to Show Cause
- ☒ **Subpoena**
- ☒ Other: **Exhibit A; Exhibit B**

1. ☐ By leaving a copy with the named party, ----- personally on -----.

2. ☐ On the within named party, -----, by leaving a copy with -----, -----, who states that they are a member of the household on -----, and informed that person of the contents thereof, and that further he mailed a copy of same in a sealed envelope with postage prepaid addressed to the party on -----.

3. ☒ On the within party, **Bank of Montreal**, by leaving a copy with **Wilbert Edwards, Supervisor and Authorized Person** on **June 9, 2011**, and informed that person of the contents thereof.

4. ☒ That the sex, race, and approximate age of the person with whom he left the documents were as follows:

SEX: **Male** RACE: **African American** APPROXIMATE AGE: **60**

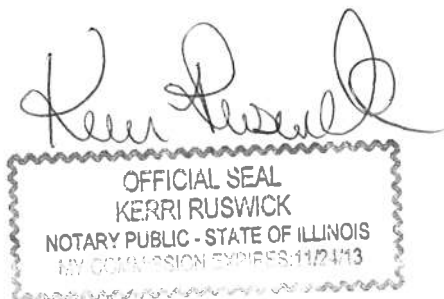
5. ☒ That the place where and the time of day when the documents were served were as follows:

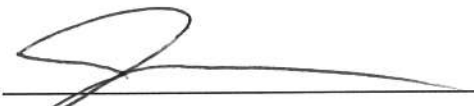
PLACE: **111 West Monroe St., Chicago, IL 60603**

TIME OF DAY: **11:14 AM**

6. ☐ That he was unable to serve within named party ----- located at ----- for the reason: -----

Signed and Sworn to before me
This **13th** day of **June 2011**




Justin Turner
Special Process Server
IT'S YOUR SERVE, INC.
Private Detective No. 117-000885